

JAN 08 2016

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

ISRAEL RAY COOPER,) CASE NO. 7:15CV00522

v. Plaintiff,)) MEMORANDUM OPINION

WARDEN EARL BARKSDALE, ET AL.,) By: Glen E. Conrad
Defendant(s).) Chief United States District Judge

The plaintiff, Israel Ray Cooper, has filed two additional motions (his seventh and eighth) seeking preliminary injunctive relief in this civil rights action under 42 U.S.C. § 1983. The initial complaint in this action, Case No. 7:15CV522, alleges that prison officials at Red Onion State Prison have assaulted Cooper on four prior occasions in March, April, May, and October 2015. The court has denied Cooper's five previous motions for interlocutory injunctive relief, upon finding that these past events did not predict a likelihood that officials would cause Cooper irreparable harm in the future. See Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20 (2008) (stating factors movant must show to warrant interlocutory injunctive relief).

In the sixth motion, Cooper alleged, among other things, that on December 10, 2015, an officer assaulted him. Because this motion concerned events subsequent to and separate from the events at issue in this lawsuit, the court dismissed the motion without prejudice in this case and directed the clerk to file the motion as a new and separate civil action, which is Case No. 7:15CV00679.

Cooper's current motions for interlocutory relief also concern the alleged events of December 10, 2015. Therefore, the court will dismiss the motion without prejudice in this action

and direct the clerk to file it as additional such motions in Case No. 7:15CV00679. An appropriate order will issue this day.

The Clerk is directed to send copies of this memorandum opinion and accompanying order to plaintiff.

ENTER: This 8th day of January, 2016.



Chief United States District Judge